

This document is not part of the May 1, 2003 Draft ACT Basin Allocation Formula Agreement but was prepared to assist interested parties in understanding that Draft Agreement. Interested parties should review the Draft Agreement for the actual terms of the proposed allocation formula that Alabama and Georgia are considering.

FACT SHEET

Alabama-Coosa-Tallapoosa (ACT) River Basin Compact

Draft Allocation Proposal Agreement

May 1, 2003

1. Without any agreement, disputes between Alabama and Georgia regarding use of the waters of the ACT Basin would likely continue, and the outcome of such disputes might be uncertain for some time. A mutually acceptable agreement between upstream and downstream interests is preferable.
2. This Draft Agreement lays the framework for a coordinated basinwide approach to water resources management between the two States.
 - a. Establishes an ACT Committee with oversight and monitoring responsibilities.
 - b. Establishes improved basin management practices that are applicable to both states.
 - c. Requires the development of a basin Drought Plan within two years.
3. Detailed monitoring and reporting is required for both States as well as on-going reviews by a Scientific Advisory Panel and a full hydrological assessment ten and twenty years after the agreement has been in place. This will help ensure that good basin management practices are being followed and that any necessary adjustments to the allocation formula will be identified.
4. The Draft Agreement provides for federal reservoir operations to maintain certain minimum flows and water supply.
 - a. The minimum flow requirement at Rome is 1,500 cfs on a weekly average basis, and 1,000 cfs average on a daily average basis, to be maintained by water releases from Lake Allatoona and Carters Lake. There is currently no minimum flow requirement at Rome.
 - b. Georgia water users will be able to receive contracts for water storage to secure 220 mgd from Lake Allatoona and 60 mgd from Carters Lake for municipal and industrial water supply.
 - c. According to analyses conducted by the States of Alabama and Georgia, the vast majority of the time actual flows at Rome should be above the designated minimum flows, and the elevation of Lake Allatoona will be protected to meet water supply, recreation, and other needs.
 - d. The guidance concerning the operations of the federal reservoirs (Lake Allatoona and Carters Lake) will result in Alabama and Georgia sharing the regional benefits of these projects equitably.
5. The formula requires the responsible use and management of water.
 - a. Both States agree that the use and consumption of water resources must be reasonable and must comply with applicable state laws and regulations pertaining to water use and instream flow guidelines.
 - b. Each State is limited to transferring no more than 75 mgd (increased to 90 mgd by 2010 and 100 mgd by 2020) out of the ACT Basin.
 - c. Interbasin transfers between the Coosa and Tallapoosa Basins in Georgia will not be allowed if the West Georgia Regional Reservoir (WGRR) is built. In Alabama, any such interbasin transfers will count against the above interbasin transfer limit in Alabama. If the WGRR is not built, interbasin transfers in Georgia from the Coosa River Basin to the Tallapoosa River Basin will be limited to 14 MGD. No interbasin transfers will be allowed from the Tallapoosa or Little Tallapoosa Basins in Georgia to the Coosa or Chattahoochee Basins in Georgia.

- d. Withdrawals from any new reservoirs cannot exceed the safe yield minus any releases needed to meet applicable flow requirements. This will ensure that new reservoirs will provide a minimum release and will help preserve seasonal variability.
 - e. Current and future users of water will be required to obtain the appropriate contracts, permits, and/or authorizations required under existing laws. This will ensure that all water users in both States are following a “formal” process.
 - f. Due to its pristine condition and biological diversity, no reservoirs will be constructed in the Little River Basin. This will help preserve the conditions in that basin.
 - g. Entities withdrawing water from federal reservoirs without a storage contract will be required to obtain such a contract. The federal government will determine whether any compensation is due for such contracts.
6. The formula provides for minimum instream flow protection.
- a. A new or expanded reservoir or water withdrawal for water supply from a stream or a reservoir cannot deplete instream flows below the monthly 7Q10 flow. However, reservoirs for which permit applications were filed in Georgia prior to April 2001 cannot deplete instream flows below annual 7Q10 flow.
 - b. If the West Georgia Regional Reservoir (WGRR) is constructed, there are provisions regarding specific release and operational requirements. If constructed as currently proposed (as an off-stream reservoir), pumping will have to protect a minimum flow of 25% of the Average Annual Daily Flow (AADF) and releases from the reservoir will protect a minimum flow of 25% of the AADF, or inflow, at the site of the dam (does not include pumped inflow). If constructed as a main stem reservoir on the Tallapoosa River, pursuant to the May, 1999 permit application submitted by the West Georgia Regional Water Authority, the WGRR will have to release at least 90 cfs.
7. Even though this process is focused on water quantity, the ACT Compact and the Draft Agreement reinforce the need for all parties to comply with the respective state laws as well as all applicable federal laws regarding water quality, including, but not limited to, the Clean Water Act.
8. The Draft Agreement will provide structure and certainty regarding the use and management of water resources for the next 30 years, until December 31, 2033. This should greatly reduce the likelihood of lawsuits and other disputes associated with the use of water. Further, the process for renegotiation is outlined to help with the transition to a new agreement.
9. Impacts of the formula proposed in the Draft Agreement on reservoir operations, stream flows, and lake levels are the following:
- a. Assessment by Alabama and Georgia has shown that during moderate to average flow conditions there will be minimal impact to reservoir elevations and stream flows as a result of this allocation formula.
 - b. The Draft Agreement provides minimum flow guarantees and instream flow protections that do not exist today.
 - c. The Draft Agreement will not override or supercede any Federal Energy Regulatory Commission (FERC) license requirements. Operations at Alabama Power projects will not change significantly as a result of the Draft Agreement. The Draft Agreement formalizes the combined release requirement of 4,640 cfs from Jordan, Bouldin, and Thurlow Dams in Alabama.

More information is available at the Georgia Environmental Protection Division’s web site at www.dnr.state.ga.us/dnr/environ or by calling (404) 651-5168 and at the Alabama Office of Water Resources’ web site at www.actcompact.alabama.gov; by e-mailing water@adeca.state.al.us; or by calling (334) 242-5499.